

#469
BILL NO. Z-91-04-14

1 ZONING MAP ORDINANCE NO. Z- 08-91

2 AN ORDINANCE amending the City of
3 Fort Wayne Zoning Map No. P-2.

4 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
5 FORT WAYNE, INDIANA:

6 SECTION 1. That the area described as follows is
7 hereby designated an M-2 (General Industrial) District under
8 the terms of Chapter 33 of the Code of the City of Fort
9 Wayne, Indiana of 1974:

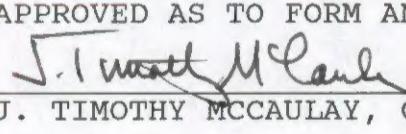
10 Lot Nos. 2, 3, and 4 in Hageman's Addition and Lot Nos.
11 73, 74, 75, 76, 77, 78, and 79 in Vodermark's Addition
12 to the City of Fort Wayne

13
14
15 and the symbols of the City of Fort Wayne Zoning Map No. P-
16 2, as established by Section 11 of Chapter 33 of the Code of
17 the City of Fort Wayne, Indiana are hereby changed
18 accordingly.

19 SECTION 2. That this Ordinance shall be in full force
20 and effect from and after its passage and approval by the
21 Mayor.

22 
23 Councilmember

24 APPROVED AS TO FORM AND LEGALITY:

25 
26 J. TIMOTHY McCAULAY, CITY ATTORNEY

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Read the first time in full and on motion by Henry, seconded by Bradbury, and duly adopted, read the second time by title and referred to the Committee on Legislation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19_____, at _____ o'clock M.E.S.T.

DATED: 4-9-91

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Henry, seconded by Redd, and duly adopted, placed on its passage.
PASSED LOST by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>9</u>	<u> </u>	<u> </u>	<u> </u>
<u>BRADBURY</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
<u>BURNS</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
<u>EDMONDS</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
<u>GiaQUINTA</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
<u>HENRY</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
<u>LONG</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
<u>REDD</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
<u>SCHMIDT</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>
<u>TALARICO</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>

DATED: 5-14-91

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,

Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)

(SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. 2-08-91

on the 14th day of May, 1991

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK
Neddy E. staff Deputy Clerk

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on

the 15th day of May, 1991.

at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK
Neddy E. staff Deputy Clerk

Approved and signed by me this 15th day of May,
1991, at the hour of 7:00 o'clock P.M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

RECEIPT

No. 10822

COMMUNITY & ECONOMIC DEVELOPMENT

FT. WAYNE, IND.

3-14 91

RECEIVED FROM

THE SUM OF

ON ACCOUNT OF

158074

Joplins Corp \$ 100.00
One hundred 100 DOLLARS
1600 Watson Ave
receiving R2 to MZ
JAB

PAID BY: CASH CHECK M.O.

AUTHORIZED SIGNATURE

PETITION FOR ZONING ORDINANCE AMENDMENT

RECEIPT NO. _____

DATE FILED _____

INTENDED USE _____

THIS IS TO BE FILED IN DUPLICATEI/We Tokheim Corporation and Indiana Michigan Power Company
(Applicant's Name or Names)do hereby petition your Honorable Body to amend the Zoning Map of Fort Wayne Indiana, by reclassifying from a/an R-2 District to a/an M-2 District the property described as follows:

Lot

Nos. 2, 3, and 4 in Hageman's Addition to the City of Fort Wayne.

Lot Nos. 73, 74, 75, 76, 77, 78, 79 in Vodermark's
Addition to the City of Fort Wayne.

(Legal Description) If additional space is needed, use reverse side.

ADDRESS OF PROPERTY IS TO BE INCLUDED:

1600 Wabash Avenue, Fort Wayne, Indiana 46803

(General Description for Planning Staff Use Only)

I/We, the undersigned, certify that I am/We are the owner(s) of fifty-one percentum (51%) or more of the property described in this petition.

Tokheim Corporation1600 Wabash Avenue, Fort Wayne,
Indiana 46803Donald C. Klarke, Vice PreIndiana Michigan Power CompanyOne Summit Square, Fort Wayne,
Indiana 46802Chairwoman, Auth. Rep.

(Name)

(Address)

(Signature)

(If additional space is needed, use reverse side.)

Legal Description checked by _____

(OFFICE USE ONLY)

NOTE FOLLOWING RULES

All requests for deferrals, continuances, withdrawals, or request that the ordinance be taken under advisement shall be filed in writing and be submitted to the City Plan Commission prior to the legal notice pertaining to the ordinance being sent to the newspaper for legal publication. If the request for deferral continuance or request that ordinances be taken under advisement is received prior to the publication of the legal ad being published the head of the Plan Commission staff shall not put the matter on the agenda for the meeting at which it was to be considered. The Plan Commission staff will not accept request from petitioners for deferrals, continuances, withdrawals, or requests that an ordinance be taken under advisement, after the legal notice of said ordinance is forwarded to the newspaper for legal publication but shall schedule the matter for hearing before the City Plan Commission. (FILING FEE \$100.00)

Name and address of the preparer, attorney or agent.

Lawrence E. Shine, Esq.Baker & Daniels

(Name)

2400 Fort Wayne National Bank Bldg. (219) 424-8000
(Address & Zip Code) (Telephone Number)

Fort Wayne, IN 46802-2387

COMMUNITY DEVELOPMENT AND PLANNING / Division of Long Range Planning & Zoning and (CITY PLAN COMMISSION) / Room #830, City-County Building, One Main Street, Fort Wayne, IN 46802 (PHONE: 219/427-1140).

Applicants, Property owners and preparer shall be notified of the Public Hearing approximately ten (10) days prior to the meeting.

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on April 9, 1991 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated Bill No. Z-91-04-14; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on April 15, 1991.

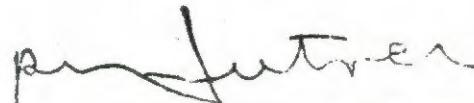
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

- (1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;
- (3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,
- (5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held April 22, 1991.

Certified and signed this
23rd day of April 1991.



Robert Hutner
Secretary

#1149

ORIGINAL

ORIGINAL

DIGEST SHEET

TITLE OF ORDINANCE _____ Zoning Map Amendment

DEPARTMENT REQUESTING ORDINANCE _____ Land Use Management - C&ED

SYNOPSIS OF ORDINANCE _____ 1600 Wabash Avenue

2-91-04-14

EFFECT OF PASSAGE _____ Property is presently zoned R-2 - Two Family Residential.

Property will become M-2 - General Industrial.

EFFECT OF NON-PASSAGE _____ Property will remain R-2 - Two Family Residential.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.) _____

FACT SHEET

L-71-04-14

BILL NUMBER

**Division of Community
Development & Planning**

<u>BRIEF TITLE</u>	<u>APPROVAL DEADLINE</u>	<u>REASON</u>	
Zoning Map Amendment			
From R-2 to M-2			
DETAILS		POSITIONS	RECOMMENDATIONS
Specific Location and/or Address 1600 Wabash Avenue		Sponsor	City Plan Commission
Reason for Project Expansion and renovation of existing facilities.		Area Affected	City Wide Other Areas
		Applicants/ Proponents	Applicant(s) Tokheim Corporation & I&M City Department Other
Discussion (Including relationship to other Council actions) <u>15 April 1991 - Public Hearing</u> Larry Shine, attorney for the Tokheim Corporation appeared before the Commission. Mr. Shine stated that the rezoning is being requested for the purpose of extending the parking lot. He stated that some of the area is already being used for parking and they are using this opportunity to ask for M-2 zoning to make the use and zoning designation consistent. There was no one present who wished to speak in favor of or in opposition to the proposed rezoning.		Opponents	Groups or Individuals Basis of Opposition
		Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
<u>22 April 1991 - Business Meeting</u> Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation. Of the nine (9) members present, eight (8) voted in favor of the motion, one (1) did not vote Motion carried.		Board or Commission Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to condition: (See Details column for condition)
		CITY COUNCIL ACTIONS (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pas

DETAILS

POLICY/PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

Project Start

Date 14 March 1991

Projected Completion or Occupancy

Date 23 April 1991

Fact Sheet Prepared by

Patricia Biancaniello

Date 23 April 1991

Reviewed by

L. Maguire 38

Date 4-24-91

Reference or Case Number

BILL NO. Z-91-04-14

REPORT OF THE COMMITTEE ON REGULATIONS

THOMAS C. HENRY, CHAIRMAN
DAVID C. LONG, VICE CHAIRMAN
EDMONDS, SCHMIDT, BRADBURY

WE, YOUR COMMITTEE ON Regulations TO WHOM WAS

REFERRED AN (ORDINANCE) (RESOLUTION) amending the City of
Fort Wayne Zoning Map No. P-2

HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (RESOLUTION)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

Thomas C. Henry
David C. Long
Edmond Schmidt
C. R. Edmonds

DATED: 5-14-91.

Sandra E. Kennedy
City Clerk

REZONING PETITION

AREA MAP

CASE NO. #469

